

1 RICHARD J. DOREN, SBN 124666
rdoren@gibsondunn.com
2 HEATHER L. RICHARDSON, SBN 246517
hrichardson@gibsondunn.com
3 GIBSON, DUNN & CRUTCHER LLP
333 South Grand Avenue
4 Los Angeles, CA 90071-3197
Telephone: 213.229.7000
5 Facsimile: 213.229.7520

6 GEOFFREY M. SIGLER (*pro hac vice*)
gsigler@gibsondunn.com
7 GIBSON, DUNN & CRUTCHER LLP
1050 Connecticut Ave., N.W.
8 Washington, DC 20036-5306
Telephone: 202.955.8500
9 Facsimile: 202.467.0539

10 Attorneys for Defendant,
11 AETNA LIFE INSURANCE COMPANY

12 UNITED STATES DISTRICT COURT
13 NORTHERN DISTRICT OF CALIFORNIA
14

15 DENNIS F. and CAROL F., individually, as
guardians of GRACE F., and as representatives
16 of the class of similarly situated individuals; et
al.

17 Plaintiffs,
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19 v.

20 AETNA LIFE INSURANCE COMPANY,

21 Defendant.
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CASE NO. CV-12-2819-SC

**~~PROPOSED~~ ORDER SETTING
DISCOVERY AND SUMMARY JUDGMENT
BRIEFING SCHEDULES**

Judge Samuel Conti

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1 Good cause being shown by the Parties' Stipulation Setting Discovery and Summary
2 Judgment Briefing Schedules, IT IS HEREBY ORDERED that:

3 1. On or before October 3, 2014, Plaintiffs will provide Aetna with information
4 identifying the amount each Plaintiff either paid themselves or that was paid on their behalf by a parent
5 for residential treatment, along with a specific numerical figure reflecting each of those amounts;

6 2. On or before October 3, 2014, Plaintiffs will provide to Aetna, to the extent it is in
7 their possession, information identifying the amount a third party other than the Plaintiff patient or
8 the patient's parent(s) paid for residential treatment;

9 3. On or before October 3, 2014, Plaintiffs will provide to Aetna the identity of all non-
10 Plaintiff third parties that made payments on behalf of each Plaintiff for that Plaintiff's residential
11 treatment, and the relationship of that third party payer to the Plaintiff;

12 4. Plaintiffs will exercise their best efforts to provide Aetna with a specific numerical
13 figure of all amounts paid by any third party payer on behalf of each Plaintiff for that Plaintiff's
14 residential treatment by October 3, 2014, as well as documentation verifying those amounts, with the
15 understanding that, if information or documentation is in the possession of non-Plaintiff third parties
16 and cannot be provided by October 3, 2014, Plaintiffs will diligently seek to provide Aetna with such
17 information and documentation as soon as possible after that date;

18 5. Plaintiffs will exercise their best efforts to provide to Aetna all documents and
19 information within the possession or personal knowledge of Plaintiffs that establish the factual bases
20 upon which Plaintiffs will rely in seeking monetary reimbursement from Aetna for any amounts paid
21 on a Plaintiff's behalf by a non-Plaintiff third party for that Plaintiff's residential treatment, and
22 Plaintiffs shall clearly articulate such bases and support to Aetna in a formal letter on or before
23 October 17, 2014, to the extent possible;

24 6. The discovery cut-off date in this matter shall be November 24, 2014, after which the
25 parties shall not conduct any more formal or informal discovery;

26 7. On or before December 15, 2014, the parties shall stipulate to, and file with the Court,
27 the full scope of evidence to be considered in this matter, which shall be limited to the administrative
28 record before Aetna at the time it made the final decision to deny, or uphold the denial of, each

1 Plaintiff's claim, the health plan documents governing each Plaintiff's claim for benefits,
2 information obtained in discovery to date regarding the interpretation and application of Aetna's
3 LOCAT criteria as it relates to Plaintiffs' claims for benefits, and any evidence addressing or
4 substantiating each Plaintiff's alleged damages;

5 8. The parties shall file their respective motions for summary judgment by March 27,
6 2015;

7 9. The parties shall file any opposition memoranda on motions for summary judgment by
8 May 1, 2015;

9 10. The parties shall file any reply memoranda in support of their respective motions for
10 summary judgment by June 5, 2015;

11 11. Any hearing on the parties' motions for summary judgment shall be held on June 26,
12 2015 at 10:00 a.m. in Courtroom 1, 17th Floor.
~~Department B.~~

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14 **IT IS SO ORDERED.**

15 Dated: September 22, 2014

